



PATENT APPLICATION

Docket No: 14321.56

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of)
)
Tetsuro Inui et al.)
)
Serial No.: 10/624,082) Art Unit
) 2613
Filing Date: July 21, 2003)
)
Confirmation No.: 5995)
)
For: DISPERSION MONITORING METHOD AND)
)
APPARATUS AND DISPERSION SLOPE)
)
TEMPERATURE DEPENDENCY COMPENSATION)
)
METHOD AND APPARATUS)

CERTIFICATE OF DEPOSIT UNDER 37 C.F.R. § 1.8

I hereby certify that the following documents are being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to: Commissioner for Patents, PO Box 1450, Arlington, Virginia 22313-1450, on the 19th day of July 2006.

- Transmittal for Fourth Supplemental Information Disclosure Statement (3 pages)
- Fourth Supplemental Information Disclosure Statement (2 pages)
- Form PTO-1449 listing 1 reference (1 page)
- A copy of the reference listed on the Form PTO-1449
- Copy of English translation of Office Action issued in Japanese Application No. 2003-277914 on April 18, 2006
- Postcard

Respectfully submitted,

DANA L. TANGREN
Attorney for Applicant
Registration No. 37,246
Customer No. 022913
Telephone: (801) 533-9800
Facsimile: (801) 328-1707

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RICK D. NYDEGGER
 BRENT P. LORIMER
 THOMAS R. VUKSINICK
 LARRY R. LAYCOCK
 JONATHAN W. RICHARDS
 DAVID R. WRIGHT
 JOHN C. STRINGHAM
 JOHN M. GUNN
 CHARLES L. ROBERTS
 DANA L. TANGREN
 ERIC L. MASCHOFF
 CHARLES J. VEVERKA
 ROBYN L. PHILLIPS
 RICHARD C. GILMORE *
 STERLING A. BRENNAN
 R. BURNS ISRAELSEN
 DAVID R. TODD
 DAVID B. DELLENBACH
 L. DAVID GRIFFIN
 ADRIAN J. LEE
 FRASER D. ROY
 CARL T. REED



WORKMAN | NYDEGGER

INTELLECTUAL PROPERTY ATTORNEYS

1000 EAGLE GATE TOWER
 60 EAST SOUTH TEMPLE
 SALT LAKE CITY, UTAH 84111
 TELEPHONE: (801) 533-9800
 FAX: (801) 328-1707
 WEBSITE: HTTP://WWW.WNLAW.COM

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Tetsuro Inui et al.

Serial No.: 10/624,082

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DISPERSION MONITORING METHOD AND
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 TEMPERATURE DEPENDENCY COMPENSATION
 METHOD AND APPARATUS

TRANSMITTAL FOR FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing and pursuant to 37 C.F.R. § 1.97 is a Supplemental Information Disclosure Statement, which includes the following statements, if any, required variously by 37 C.F.R. § 1.98:

X Statement of relevance of selected cited references not in the English language which are not translated.

— Statement that selected cited references are substantially cumulative of an enclosed or previously submitted reference.

— Statement that selected cited references were previously cited by or submitted to the United States Patent and Trademark Office in a prior application which is relied upon for an earlier filing date under 35 U.S.C. § 120.

VERNON R. RICE §
 OF COUNSEL



A. Additional Materials Required Due to Content of Information Disclosure Statement

Transmitted are the following documents in addition to the Third Supplemental Information Disclosure Statement as required variously under 37 C.F.R. § 1.98:

- ☒ Form PTO-1449 listing 1 reference submitted for consideration.
- ☒ A copy of the 1 reference listed on the Form PTO-1449.
- ☐ English translations of ___ (___) of the references listed on the Form PTO-1449 which are not in the English language.
- ☐ Copies of the following documents from the prosecution of a previous, related application:
 - ☐ Form PTO-1449 AND INFORMATION DISCLOSURE STATEMENT; and
 - ☐ Form PTO-892

B. Additional Materials Required Due to Timing of Filing of Information Disclosure Statement

The transmitted Information Disclosure Statement is being filed within one (1) of the following four (4) time periods:

- I. ☒ Prior to the later of either three (3) months following the filing date or the mailing of a first Office Action. Accordingly, no materials other than those listed above are enclosed.
- II. ☐ Following the latter of either three (3) months following the filing date or the mailing of a first Office Action, but before the mailing of a final Office Action or a Notice of Allowance. Accordingly, to secure consideration thereof, one (1) of the following is also enclosed:
 - ☐ Promptness Certification; or
 - ☐ Check No. _____ in the amount of \$___ constituting the submission fee set forth in 37 C.F.R. § 1.17(p).
- III. ☐ After the mailing of a Notice of Allowance, but before payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:
 - ☐ Promptness Certificate;
 - ☐ Petition for Consideration; and

___ Check No. in the amount of \$ ___ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

IV. ___ After payment of the Issue Fee. Accordingly, in order to secure consideration thereof, each of the following are also enclosed:

___ Petition to Withdraw from Issue; and

___ Check No. ___ in the amount of \$ ___ constituting the petition fee set forth in 37 C.F.R. § 1.17(i)(1).

C. Fees

The Commissioner is hereby authorized to charge payment of or any deficiency in the following fees associated with this communication, or to credit any overpayment thereof, to Deposit Account No. 23-3178. A duplicate copy of this letter is enclosed.

X ___ Any fee required in relation to filing of this letter or any documents transmitted therewith.


___ The submission fee set forth in 37 C.F.R. § 1.17(p) in the event that 37 C.F.R. § 1.97(c) applies and the Examiner is not satisfied that any Promptness Certificate submitted meets the requirements of 37 C.F.R. § 1.97(e).

___ The submission fee set forth in 37 C.F.R. § 1.17(p).

___ The petition fee set forth in 37 C.F.R. § 1.17(i)(1).

Dated this 19th day of July 2006.

Respectfully submitted,



DANA L. TANGREN
Attorney for Applicant
Registration No. 37,246
Customer No. 022913
Telephone No. 801.533.9800



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	APPARATUS AND DISPERSION SLOPE)
	TEMPERATURE DEPENDENCY COMPENSATION)
	METHOD AND APPARATUS)

FOURTH SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. § 1.97

Commissioner for Patents
PO Box 1450
Arlington, Virginia 22313-1450

Sir:

Please find, pursuant to 37 C.F.R. § 1.98(a)(1), the enclosed Form PTO-1449 which contains a list of all patents, publications, or other items that have come to the attention of one or more of the individuals designated in 37 C.F.R. § 1.56(c). While no representation is made that these references may be "prior art" within the meaning of that term under 35 U.S.C. §§ 102 or 103, the enclosed listed references are disclosed so as to fully comply with the duty of disclosure set forth in 37 C.F.R. § 1.56.

Moreover, while no representation is made that a specific search of office files or patent office records has been conducted or that no better art exists, the undersigned attorney of record believes that the enclosed art is the closest to the claimed invention (taken in its entirety) of which the undersigned is presently aware, and no art which is closer to the claimed invention (taken in its entirety) has been knowingly withheld.

In accordance with 37 CFR §§ 1.97 and 1.98, a copy of each of the listed references or relevant portion thereof is also enclosed.

Statement of Relevance of References Listed
Unaccompanied by English Translation
Under 37 CFR § 1.98(a)(3)

In accordance with 37 CFR § 1.98(a)(3), the following concise explanation of the relevance of each listed reference that is not in the English language and unaccompanied by a translation into English is provided.

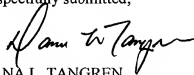
Japanese Patent No. 2003-134047: PROBLEM TO BE SOLVED: To constantly measure wavelength distribution of a transmission line during operation without influencing main signal light and to enable compensation using a distribution compensator based on a measured distribution value. SOLUTION: Wavelength dependency of transmission delay of an optical fiber which is the transmission line is measured by taking notice of a point that an optical wavelength multiple transmission system simultaneously uses a plurality of kinds of wavelength, constantly detecting frames which data signals of the respective wavelength channels have or detecting them in a short repetition time and relatively comparing their frame phases. Group speed distribution of the optical fiber is calculated from the wavelength dependency of the transmission delay and used for distribution compensation.

NON-PRIOR ART REFERENCE

Attached for the Examiner's consideration is an English translation of an Office Action issued April 18, 2006 in Japanese Patent Application No. 2003-277914 which relates to the present application.

Dated this 19th day of July 2006.

Respectfully submitted,



DANA L. TANGREN
Attorney for Applicant
Registration No. 37,246
Customer No. 022913
Telephone: (801) 533-9800

Applicant: Tetsuro Inui et al.

Confirmation No.: 5995

Serial No.: 10/624,082

Att'y Docket No.: 14321.56

Filing Date: July 21, 2003

Art Unit: 2613

For: DISPERSION MONITORING METHOD AND APPARATUS AND DISPERSION SLOPE
TEMPERATURE DEPENDENCY COMPENSATION METHOD AND APPARATUSFOURTH SUPPLEMENTAL INFORMATION DISCLOSURE CITATIONS MADE BY APPLICANTU.S. Patent Documents

Examiner <u>Initial*</u>	Document <u>Number</u>	Issue <u>Date</u>	<u>Name</u>
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Foreign Patent Documents

Examiner <u>Initial*</u>	Document <u>Number</u>	Publication <u>Date</u>	Country or <u>Patent Office</u>	<u>Translation</u>
/H.W./	2003-134047	05/09/2003	Japan	No

Other Documents

(including author, title, pertinent pages, etc.)

Examiner
Initial*References Cited by Applicants

While the filing of Information Disclosure Statements is voluntary, the procedure is governed by the guidelines of Section 609 of the Manual of Patent Examining Procedure and 37 C.F.R. §§ 1.97 and 1.98. To be considered a proper Information Disclosure Statement, Form PTO-1449 shall be accompanied by a copy of each listed patent or publication or other item of information and a translation of the pertinent portions of foreign documents (if an existing translation is readily available to the applicant), an explanation of relevance of each reference not in the English language, and should be submitted in a timely manner as set out in MPEP Sec. 609.

Examiners will consider all citations submitted in conformance with 37 C.F.R. § 1.98 and MPEP Sec. 609 and place their initials adjacent the citations in the spaces provided on this form. Examiners will also initial citations not in conformance with the guidelines which may have been considered. A reference may be considered by the Examiner for any reason whether or not the citation is in full conformance with the guidelines. A line will be drawn through a citation if it is not in conformance with the guidelines AND has not been considered. A copy of the submitted form, as reviewed by the Examiner, will be returned to the applicant with the next communication. The original of the form will be entered into the application file.

Each citation initiated by the Examiner will be printed on the issued patent in the same manner as references cited by the Examiner on Form PTO-892.

The reference designations "A1," "A2," etc. (referring to Applicant's reference 1, Applicant's reference 2, etc.) will be used by the Examiner in the same manner as Examiner's reference designations "A," "B," "C," etc. on Office Action Form PTO-1142.

WA1432156/DFW000019135V001.doc

Examiner: /Hibret Woldekidan/

Date Considered: 12/10/2009

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609, draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.